UNITED STATES PATENT AND TRADEMARK OFFICE

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10/786,365	02/26/2004	Hyun-sik Yoon	Q79524	3411

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EXAMINER
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ART UNIT	PAPER NUMBER
2163	

NOTIFICATION DATE	DELIVERY MODE
11/16/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 September 2009*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12 and 14-35* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12 and 14-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

The Request for Continued Examination, filed on 9/24/2009, has been entered and acknowledged by the Examiner. Claims 1-12 and 14-35 are pending.

Response to Arguments

Applicant's arguments filed 9/24/2009 have been fully considered but they are not persuasive.

Issue I: The Applicants argue that Lundstrom does not disclose or suggest at least, "a processor operable to process an event, upon occurrence of the event in the network, by extracting apparatus information for the apparatuses within the network from the management information and specifying a second data streaming server different from a first data streaming server according to the extracted information," as recited in claim 1 and similarly recited in claims 12, 24, and 25.

Response I: The Examiner respectfully disagrees because disclosing extracting information for the mobile device within the network from the management infoormation and specifying another data server different from a first data server based on the packets information that are being extracted/filtered (col. 1, lines 54-58; col. 4, lines 39-50).

Issue II: Applicants maintain arguments that Lundstrom does not disclose or suggest at least, "a audio/video (A/V) wireless network which comprises a plurality of data streaming servers and data streaming clients, wherein only one channel is allocated to transfer a data stream for the second data streaming server by the

managing module," and "wherein dummy data transmitted during the data stream is not

transmitted in the allocated channel," as claimed.

Response II: The examiner strongly disagrees with the Applicants because

Lundstrom's disclosure of a wireless network for different flows associated with data

packet (col. 1, lines 54-60) included streaming media (col. 1, lines 20-26) having

streaming servers (Figure 5, 18; col. 2, lines 34-39) with streaming clients (col. 2, lines

34-39) is equivalent to audio/video wireless network comprise a plurality of data

streaming servers and data streaming clients of claimed invention. Plus, Lundstrom

discloses of different types of communications is characterized by the packet flows of

associated application and resource manager, therefore, when locating/requesting a

resource and a channel has not been allocated, dummy data or ping signals are no

longer being sent afterward when requested data being transmitted. In addition, Lim

cures the deficiency of Lundstrom's by disclosing only one channel is allocated to

transfer a data stream for a data streaming server by the managing module (¶ [0014]).

Thus, applicant's argument is not persuasive.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this
> title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a
> whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said
> subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3-13 and 15-35 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Lundstrom et al. (US Pat. 7,289,480), hereinafter Lundstrom in view

of Lim et al. (US Pub. 2004/0039788), hereinafter Lim.

Regarding claims 1, 12, and 24-25, Lundstrom teaches a network apparatus for

wireless transmission/reception of data streams having management information on

wireless channels (i.e. **a wireless communication network manages communication**

resources, abstract) used for the data streams transmitted in an audio/video (A/V)

wireless network which comprises a plurality of data streaming servers and data

streaming clients, said network apparatus comprising:

a processor operable to process an event, upon occurrence of the event in the

network (i.e. in response to communication from char. 12; Figure 1), by extracting

apparatus information for the apparatuses within the network from the management

information (col. 1, lines 55-63; **selecting communication resources based on the**

user and application behavior associated with the data type and packet type

traffics) and specifying a second data streaming server different from a first data

streaming server according to the extracted information (col. 1, lines 55-63), and by

transmitting an event response signal comprising the management information

corresponding to the event (i.e. in response to a mobile station change, a dynamic

updating of resource control parameters, network configuration and operations are

transmitted to the changed mobile; col. 2, lines 35-50) or by updating the management

information corresponding to the event (col. 2, lines 35-50), thereby generating in the

second data-streaming server, a module that manages the wireless channels for the

data streams transmitted in the wireless manner among the apparatuses in the network

(col. 2, lines 35-50; col. 4, lines 12-25) dummy data transmitted during the data stream

is not transmitted in allocated channel (col. 4, lines 15-25), while allocating one channel

per server, Lundstrom does not explicitly disclose only one channel is allocated to

transfer a data stream for the second data streaming server by the managing module;

However Lim discloses only one channel is allocated to transfer a data stream for a

data streaming server by the managing module (¶ [0014]). It would have been obvious

to one of ordinary skill in the art at the time the invention was made to incorporate Lim's

teaching into Lundstrom's disclosure to ensure properly allocation for a dedicated

channel maintain a low cost server in compare to a high performance server.

Regarding claims 3, 15 and 27, Lundstrom teaches the apparatus as claimed in

claims 1 and 25, wherein the management information comprises information on

allocated wireless channels (col. 4, lines 20-25).

Regarding claims 4, 16 and 28, Lundstrom teaches the apparatus as claimed in

claims 1 and 25, wherein the management information comprises information on

connection states of the apparatuses in the network according to an allocated wireless

channel (col. 13, lines 18-22).

Regarding claims 5, 17 and 29, Lundstrom teaches the apparatus as claimed in

claims 1 and 25, wherein the management information comprises apparatus information

on the apparatuses in the network (mobile profile, col. 2, lines 34-42).

Regarding claims 6, 18 and 30, Lundstrom teaches the apparatus as claimed in claims 1 and 25, wherein the management information comprises channel state information (col. 13, lines 18-22).

Regarding claims 7, 19 and 31, Lundstrom teaches the apparatus as claimed in claims 1 and 25, wherein the event comprises an allocated channel request event operable to request a new allocated channel (col. 5, lines 34-37).

Regarding claims 8, 20 and 32, Lundstrom teaches the apparatus as claimed in claims 1 and 25, wherein the event comprises an allocated channel sharing request event operable to request sharing of a currently allocated channel. It is inherent that an allocated channel is shared in a communication network by a population of clients as a many-to-one channel.

Regarding claims 9, 21 and 33, Lundstrom teaches the apparatus as claimed in claims 1 and 25, wherein the event comprises a network participation request event operable to indicate participation in an already established network (col. 2, lines 35-45 updating all network activities and resource would include indication of already established channels).

Regarding claims 10, 22 and 34, Lundstrom teaches the apparatus as claimed in claims 1 and 25, wherein the event comprises an allocated channel releasing request event operable to indicate releasing of an already established, allocated channel (col. 2, lines 60-67).

Regarding claims 11, 23 and 35, Lundstrom teaches the apparatus as claimed in claims 1 and 25, wherein the event comprises a network disconnection request event

operable to indicate disconnection from an already established network (col. 12, lines 16-20).

Regarding claim 13, see the discussion of claim 1 and 12.

Regarding claims 15-23, see the discussion of claim 1, 12, 3-11 accordingly.

Claims 2 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lundstrom in view of Lim and further in view of Wright et al. (US Pat. 6,078,568).

Regarding claims 2 and 14, Lundstrom in view of Lim teaches the apparatus as claimed in claims 1 and 12 above, wherein the management information comprises information on available channels, but lacks for empty channels that are not used. However, in the same field of endeavor, Wright et al. discloses the empty and idle channels for network resource management (col. 3, lines 30-35; col. 30, lines 51-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporate the empty channels taught by Wright et al. into the available channels allocations of Lundstrom to indicate there are empty channels waiting to be in service so that reservation of a channel if available for a certain time period as a dedicated channel.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan·Khanh Phan whose telephone number is (571)270-3047. The examiner can normally be reached on 4/5/9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TKP
/Hung T Vy/
Primary Examiner, Art Unit 2163